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19 **UNITED STATES DISTRICT COURT**

20 **DISTRICT OF NEVADA**

21 KANTI GALA, an individual; HEMI GALA, an  
 22 individual; GALA WORLDWIDE, INC., a  
 23 Virginia corporation,

24 Case No. 2:10-cv-00079-RLH-RJJ

25 **STIPULATION AND ORDER TO STAY  
 26 DISCOVERY**

27 Plaintiffs,

28 vs.

29 WILLIAM B. BRITT, an individual; PEGGY  
 30 BRITT, an individual; KANTI GALA (II), an  
 31 individual; BRITT WORLDWIDE, LLC, a  
 32 Nevada limited liability company; TRINITY  
 33 EDUCATIONAL SYSTEMS, LLC, a Nevada  
 34 limited liability company,

35 Defendants.

36 /

37 BRITT WORLDWIDE, LLC, a Nevada limited  
 38 liability company,

39 Counterclaimant,

40 vs.

41 KANTI GALA, an individual; HEMI GALA, an  
 42 individual; GALA INTERNATIONAL, INC., a  
 43 Virginia corporation,

44 Counterdefendants.

1       Plaintiffs, Kanti Gala, Hemi Gala, and Gala Worldwide, Inc., by and through their  
2 counsel, Tyler R. Andrews, and Defendants, Billy B. Britt (incorrectly named as William B.  
3 Britt), Peggy Britt, Kanta Gala (II) and Trinity Educational Systems, LLC, by and through their  
4 counsel, Paul J. Georgeson, Esq., of the law firm of McDonald Carano Wilson LLP, hereby  
5 submit this Stipulation to Stay Discovery in this matter, including FRCP 26(a) initial disclosures  
6 and the FRCP 26(f) conference, pending rulings by the Court on Defendants' Motion to Dismiss  
7 (Doc #15) and Britt Worldwide, LLC's Application for Confirmation of Arbitration Award and  
8 Entry of Judgment (Doc #17), which Motion and Application have been fully briefed by the  
9 parties and submitted to the Court for decision. This request to stay discovery is made upon  
10 good cause on the following facts:

11       This case, including all original claims and counterclaims, involves issues relating to the  
12 validity of prior arbitration proceedings as well as the enforceability of a prior arbitration award.

13       Plaintiffs in this case have asserted affirmative claims arguing that the underlying  
14 arbitration proceedings were invalid and improper.

15       Defendants allege that the arbitration proceedings were valid and have filed an  
16 Application with this Court for Confirmation of an Arbitration Award and Entry of Judgment  
17 (Doc #17). Plaintiffs, in response to that Application, have argued that the Arbitration Award  
18 should not be enforced. Plaintiffs filed an Opposition to the Application on July 9, 2010 and  
19 BWW filed its Reply in Support of the Application on July 19, 2010. *See* Doc. nos. 21, 25.

20       In addition, Defendants have filed a Motion to Dismiss (Doc #15) Plaintiffs' claims in  
21 this matter. Plaintiffs filed their Opposition to the Motion to Dismiss on July 9, 2010 and  
22 Defendants filed their Reply on July 19, 2010. *See* Doc. nos. 22, 24.

23       The Application for Confirmation of Arbitration Award and Entry of Judgment and the  
24 Motion to Dismiss have been fully briefed and submitted to the Court for decision and Plaintiffs  
25 have requested oral argument on the Motion and Application.

26       Whether any discovery at all will be required in this case, and, if so, the nature and scope  
27 of any such discovery which may be required, is wholly dependent upon the outcome of the  
28 pending Motion and Application.



1           The parties desire to stay all discovery in this matter, including initial disclosures and the  
 2 initial case conference, until after rulings are issued by the Court on the Motion and Application.  
 3 The parties wish to do so to avoid unnecessary cost and expense in this proceeding and to avoid  
 4 having to move forward with discovery when the necessity of any discovery, as well as the  
 5 scope and nature of further discovery, if any, is dependent upon the outcome of the current  
 6 Motion and Application. The parties further note that any such stay will not cause undue delay  
 7 because the Motion and Application which serve as bases for this request have already been  
 8 fully briefed by the parties and the parties expect a decision on those motions in the relatively  
 9 near future.

10           Therefore, for good cause, the parties, by and through their counsel, hereby stipulate and  
 11 agree as follows:

12           1.       That all discovery in this matter, including FRCP 26(a) initial disclosures and the  
 13 FRCP 26(f) conference, shall be stayed until such time as this Court has ruled on Defendants'  
 14 Motion to Dismiss (Doc. #15) and Britt WorldWide, LLC's Application for Confirmation of  
 15 Arbitration Award and Entry of Judgment (Doc. #17).

16           2.       That this Stipulation is entered into in good faith, not for the purposes of delay,  
 17 and is made in the interests of efficiency.

18           Dated this 5<sup>th</sup> day of August, 2010.

19           Dated this 5<sup>th</sup> day of August, 2010.

20           McDONALD CARANO WILSON LLP

21           GREENBERG TRAURIG, LLP

22           \_\_\_\_\_  
 23           /s/ Ryan Bellows

24           \_\_\_\_\_  
 25           /s/ Tyler R. Andrews

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34           Attorneys for Defendants

35           Attorneys for Plaintiffs

36           DATED this 1st day of August, 2010.

37           **IT IS SO ORDERED:**

38           \_\_\_\_\_  
 39           Robert J. Johnson  
 40           UNITED STATES MAGISTRATE JUDGE